

STUART RABNER
ATTORNEY GENERAL OF NEW JERSEY
Division of Law 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the State Board of Nursing

FILED

MAY 31, 2007

By: Susan Carboni
Deputy Attorney General
Tel. (973) 648-2894

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS

IN THE MATTER OF THE SUSPENSION :	Administrative Action
OR REVOCATION OF THE LICENSE OF :	
:	
KAILASH SINGHVI, M.D. :	CONSENT
:	ORDER OF REINSTATEMENT
TO PRACTICE MEDICINE AND :	OF LICENSE WITH LIMITATIONS
SURGERY IN THE STATE OF :	
NEW JERSEY :	

This matter was opened to the New Jersey State Board of Medical Examiners (the "Board") upon receipt of respondent's request for reinstatement of his license to practice medicine and surgery in the State of New Jersey. Respondent's license had been voluntarily surrendered, with such surrender to have the

effect of revocation pursuant to a Consent Order entered on July 14, 2003. The basis for the Order was respondent's previous surrender of his license to practice medicine in the State of New York via an Order entered on December 3, 2002, because of respondent's having engaged in professional misconduct and practicing the profession of medicine fraudulently in violation of New York law. The underlying conduct upon which these orders were premised resulted in respondent's conviction of the following violations of Federal law: Conspiracy to Pay Kickbacks to Doctors for Medicare Patient Referrals, in violation of 18 U.S.C. 371; Paying Kickbacks to Doctors for Medicare Patient Referrals, in violation of 18 U.S.C. 1320a-7b(b)2; Conspiracy to Defraud the Medicare Program, in violation of 18 U.S.C. 371; and Defrauding the Medicare Program in violation of 18 U.S.C. 1347. Judgment in this matter was entered on April 20, 2006 by the United States District Court for the Southern District of New York, sentencing respondent to time served and three years of supervised release. Respondent was further required to forfeit his interest in \$1,605,000, and to pay a fine of \$5,000, which payments have been satisfied. Respondent had entered into a plea agreement with the United States Attorney for the Southern District with regard to the criminal conduct on July 10, 2001, but was not sentenced until 2006 because he had been cooperating

with government authorities in certain investigations.

Under the terms of the Consent Order with the Board filed on July 14, 2003, respondent was not permitted to file an application for reinstatement of his New Jersey medical license for a three year period following the entry of the Order. Respondent has now made such application for reinstatement. The Board has reviewed information, including testimony before a committee of the Board on September 26, 2006, as well as documentation submitted after the appearance, indicating that respondent has provided substantial assistance to the Federal Bureau of Investigation and the United States Attorney's Office in the investigation of fraudulent conduct by medical practitioners, leading to the indictment and conviction of three physicians implicated in criminal conduct. Respondent has also expressed great remorse for his criminal conduct, and has, under physician supervision, engaged in significant volunteer work assisting AIDS patients in a Newark clinic, performed over 2000 hours of volunteer work at the North Shore University Hospital, and has devoted himself to other unpaid charitable work. The Board having determined that respondent has demonstrated proof that he is sufficiently rehabilitated to reenter the practice of medicine with appropriate limitations, and having determined that reinstatement of respondent's license to practice medicine is

appropriate, and that the within Order is sufficiently protective of the public, in lieu of further proceedings, and for other good cause shown,

IT IS on this 31ST day of MAY , 2007

HEREBY ORDERED AND AGREED that:

1. Respondent's petition for reinstatement of his license to practice medicine and surgery in the State of New Jersey is granted based upon his agreement to abide by the conditions set forth in this Consent Order.
2. Respondent shall obey all the statutes and regulations governing the practice of medicine in the State of New Jersey.
3. Respondent shall work solely within a group practice, hospital, clinic or a health care facility approved by the Department of Health and Senior Services, and solely in the capacity of an employee. Respondent shall have no ownership interest or billing authority in any position he holds.
4. Respondent's scope of practice shall be confined to the practice of gastroenterology. His performance of gastroenterology procedures will be limited to performing endoscopies only under the direct supervision and observation of a Board-approved, Board Certified gastroenterologist. Following the performance of fifty

(50) endoscopies under supervision, respondent's supervisor shall submit a letter to the Board's Medical Director, evaluating respondent's capabilities with respect to the performance of endoscopy procedures. At that time, respondent may petition the Board to determine whether respondent requires further monitoring, or whether supervision is no longer necessary with regard to the performance of endoscopies. Respondent shall not perform an endoscopy without supervision until respondent has received written notice from the Board authorizing him to do so.

5. Respondent shall attend and complete a medical professional ethics course pre-approved by the Board within six (6) months of reinstatement. Respondent shall submit proof of full attendance at and successful completion of the course within two (2) weeks of completion of the course. This course shall not count toward fulfillment of the minimum required hours of continuing medical education for any renewal period.

6. Respondent agrees that any violation of this Consent Order may serve as the basis for disciplinary action pursuant to N.J.S.A. 45:1-21, including revocation or suspension of his New Jersey license. Any deviation from the terms of this Order without the prior written consent of the Board shall constitute a failure to comply with the terms of this Order. Upon receipt of any reliable information indicating that respondent has violated any term of this Order, respondent's license may be automatically

suspended by the Board. Respondent, upon five days notice, may request a hearing to contest the entry of such an order. At any such hearing the sole issue shall be whether any of the information received regarding respondent was materially false. In addition, the Board reserves the right to bring further disciplinary action.

NEW JERSEY STATE BOARD OF
MEDICAL EXAMINERS

By

Sindy M. Paul, MD, MPH

Sindy Paul, M.D.
Board President

I have read the within Order
and agree to abide by its
terms.

Kailash Singhvi

Kailash Singhvi, M.D.

5/21/07

Date

Consent as to form:

Nathan L. Dembin

Nathan L. Dembin, Esq.
Attorney for respondent